

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x

DR. DAVID SCHWARTZ,

Plaintiff,

-against-

THE CITY OF NEW YORK and LORELEI SALAS, in
her official capacity as Commissioner of the Department of
Consumer Affairs,

**STIPULATION OF
DISMISSAL WITH
PREJUDICE**

19-CV-463(RJD)

Defendants.

----- x

**NOW COME the parties and jointly stipulate to the dismissal of this action
with prejudice. In support thereof, the parties state as follows:**

- 1) Local Law 22 of 2018 (codified at New York City Administrative Code §§ 20-824 – 20-827), upon which this lawsuit was based, has been repealed.
- 2) The parties have reached a resolution in this case that resolves all claims, without admission of liability by any party.
- 3) The parties stipulate that this lawsuit should be dismissed with prejudice.
- 4) This is not a class action lawsuit, no receiver has been appointed, and no federal statute requiring a court order for dismissing a case governs this lawsuit.
- 5) Plaintiff has not previously dismissed any federal or state-court suit based on or including the same claims as those presented in this case.

6) Except as agreed to in their Stipulation of Settlement dated June 22, 2020 (the "Settlement Agreement"), each party is to bear its own costs, expenses, and attorneys' fees.

Dated: New York, New York
June ___, 2020

ALLIANCE DEFENDING FREEDOM
Attorney for Plaintiff
15100 N. 90th Street
Scottsdale, Arizona 85260
Tel: 480-444-0020

By: Roger G. Brooks
Roger G. Brooks

NELSON MADDEN BLACK LLP
Attorney for Plaintiff
475 Park Avenue South
Suite 2800
New York, New York 10022
Tel: 212-382-4300

JAMES E. JOHNSON
Corporation Counsel of the
City of New York
Counsel for Defendants
100 Church Street
New York, New York 10007
Tel: 212-356-2199

By: Michelle Goldberg-Cahn
Michelle Goldberg-Cahn
Assistant Corporation Counsel

Alan E. Schoenfeld
WILMER CUTLER PICKERING HALE
AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
T: (212) 937-7252

The Clerk of the Court is directed to
close this case.

SO ORDERED:

/s/ Raymond J. Dearie
Hon. Raymond J. Dearie, U.S.D.J.

Dated: 7/21/2020